

Western Division of the United States District Court for the District of Massachusetts

CIVIL ACTION NO. 17-cv-30119

FILED
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U.S. DISTRICT COURT
DISTRICT OF MASS.

ROLANDO PENATE, Plaintiff

v.

SONJA FARAK, et al., Defendants

DEFENDANT'S ANSWER TO COMPLAINT

PARTIES

1. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
2. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
3. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
4. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
5. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
6. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
7. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
8. I agree that I am a natural person and a resident of the Commonwealth of Massachusetts, and that between July 2013 and April 2013 was employed as a chemist by the Massachusetts Department of Public Health (DPH) and the MSP.
9. I agree that Sharon Salem was employed as a chemist by the DPH and MSP, but lack the knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.
10. I agree that James Hanchett was employed as a chemist by the DPH and MSP, but lack the knowledge or information to form a belief about the truth of the remaining allegations in this paragraph.
11. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
12. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
13. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
14. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

15. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
16. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
17. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
18. I agree that the City of Springfield is a municipal corporation located within Hampden County, the Commonwealth of Massachusetts, and the United States of America, but lack knowledge or information sufficient to form a belief about the truth of the remaining allegation in this paragraph.
19. I agree with the allegation in this paragraph.

JURISDICTION

20. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.
21. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

VENUE

22. I agree that this action was brought in the Western Division of the United States District Court for the District of Massachusetts for the reasons stated.

FACTUAL ALLEGATIONS

A. Drug Labs Situated Within DPH

23. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
24. I agree.
25. I agree.
26. I agree that while under DPH, the Amherst and Hinton Drug Labs remained underfunded and understaffed, although I disagree that the labs were unable to adequately fulfill their mission of delivering forensic analysis of samples submitted by law enforcement agencies (though not necessarily in a timely fashion).
27. I agree that analysts at both labs were required to perform a series of preliminary tests followed by confirmatory testing, however I disagree that the preparation of the small portion of the unknown substance always occurred after the preliminary testing was complete.
28. I agree.
29. I agree.
30. I agree that the number of submissions each analyst tested was calculated monthly, however I do not know who produced the spreadsheets.
31. I agree that those numbers played a role in measuring a chemist's productivity, but they were not the only factors to consider while determining productivity.

- 32. I agree.
- 33. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

B. The Deplorable Condition of the Amherst Drug Lab

- 34. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 35. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 36. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 37. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 38. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 39. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 40. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 41. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 42. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 43. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 44. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 45. I agree.
- 46. I agree that chemists were regularly evaluated, but lack knowledge or information sufficient to form a belief about the validity if was under the Human Resources Division EPRS.
- 47. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 48. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 49. I agree.
- 50. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 51. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 52. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 53. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 54. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 55. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

56. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
57. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
58. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
59. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
60. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
61. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
62. I agree.
63. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
64. Although I lack knowledge or information sufficient to form a belief as to whom was responsible for denying requests, I do agree that subscriptions were cancelled and requests for new/replacement equipment were denied.

C. The Beginning of FARAK's Criminal Activity

65. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
66. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
67. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
68. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
69. I disagree.
70. I agree.
71. I agree.
72. I agree.
73. I agree.
74. I agree.
75. I disagree.
76. I agree.
77. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
78. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
79. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
80. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
81. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

82. I agree that I began stealing and using the lab's supply of methamphetamine oil, but I do not recall if it started in late 2004 or early 2005, so I cannot agree with the year stated.
83. I disagree.
84. I agree.
85. I agree.
86. I agree.
87. I agree.
88. I agree.
89. I disagree.
90. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
91. I disagree.
92. I disagree.

D. Amherst's Inflated Output

93. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
94. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
95. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
96. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
97. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
98. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
99. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
100. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
101. I agree.
102. I agree.
103. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
104. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
105. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
106. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
107. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
108. I disagree.
109. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

E. The SPD Investigation and Submission of Substances to the Amherst Drug Lab

110. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
111. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
112. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
113. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
114. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
115. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
116. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
117. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
118. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
119. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
120. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
121. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
122. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
123. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
124. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
125. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
126. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
127. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
128. I agree.
129. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
130. I agree.
131. I agree that the allegations in this paragraph were sometimes, but not always, true.
132. I disagree as to whether there was a 'scheme'.
133. I disagree.
134. I disagree.

F. FARAK's Drug Abuse During the Testing Process

- 135. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 136. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 137. I disagree.
- 138. I disagree.
- 139. I agree.
- 140. I disagree that the allegations in this paragraph were always true.
- 141. I disagree.
- 142. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 143. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 144. I agree that I was receiving treatment at ServiceNet, however it was not specifically for drug addiction.
- 145. I agree.
- 146. I agree.
- 147. I agree.
- 148. I agree that I spent the morning smoking crack, but lack knowledge or information to form a belief as to whether that was the actual day I tested the Plaintiff's samples, or if it was the date I reported the results of the testing.
- 149. I disagree.
- 150. I agree.
- 151. I disagree.

G. Plaintiff's Indictment and Arraignment

- 152. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 153. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 154. I agree.
- 155. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 156. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 157. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 158. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 159. I disagree.
- 160. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 161. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

- 162. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 163. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 164. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

H. The End of HAN and NASSIF's DPH Employment

- 165. I agree.
- 166. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 167. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 168. I agree.
- 169. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 170. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

I. Withholding Evidence of Criminal Activity and Misrepresenting Lab Practices

- 171. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 172. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 173. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 174. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 175. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 176. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 177. I agree that I prepared a Discovery packet, but do not remember the date that it was sent.
- 178. I disagree that I falsely claimed anything.
- 179. I disagree as there was no policy to withhold information – we accurately reported that the lab was not accredited, and that the actual testing procedures were the same as those recommended by SWGDRUG.
- 180. I agree.
- 181. I agree.
- 182. I agree.
- 183. I agree.
- 184. I agree.
- 185. I agree.
- 186. I agree.
- 187. I agree that I feigned ignorance, but have no knowledge as to what Hanchett ultimately decided to believe.

J. The Beginning of the FARAK Criminal Investigation

- 188. I agree.
- 189. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 190. I agree.
- 191. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 192. I agree.
- 193. I agree.
- 194. I agree.
- 195. I agree that I did not admit to any wrongdoing.
- 196. I agree.
- 197. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 198. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

K. The Search of FARAK's Car and Discovery of the ServiceNet Diary Card

- 199. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 200. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 201. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 202. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 203. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 204. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

L. The Mischaracterization of Mental Health Worksheets as "Assorted Lab Paperwork"

- 205. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 206. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 207. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 208. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 209. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 210. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

211. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

M. Artificially Limiting the Scope of the FARAK Investigation

212. I agree.
213. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
214. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
215. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
216. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
217. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
218. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
219. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

N. Emailing FARAK's Mental Health Worksheets

220. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
221. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
222. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
223. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
224. I agree that that was stated on a diary card, but I do not know if it was on the diary card in question (that Ballou allegedly kept from Kaczmarek)

O. Advocating Against a Broader Investigation at the Amherst Drug Lab

225. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
226. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
227. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
228. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
229. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
230. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

231. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

P. The Non-Disclosure of FARAK's Mental Health Worksheets to District Attorneys

232. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

233. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

234. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

235. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

236. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

237. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

238. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

239. I agree.

Q. Plaintiff's Motion to Dismiss

240. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

241. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

242. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

243. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

244. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

245. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

246. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

R. Plaintiff's Subpoenas to KACZMAREK and BALLOU

247. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

248. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

249. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

250. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

S. The AGO's Response to a Second BALLOU Subpoena

- 251. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 252. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 253. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 254. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 255. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 256. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 257. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 258. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 259. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 260. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 261. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 262. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 263. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 264. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 265. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 266. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 267. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 268. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 269. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 270. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 271. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 272. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 273. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

- 274. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 275. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 276. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 277. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

T. Plaintiff's Motion for Third Party Records

- 278. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 279. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 280. I agree.
- 281. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 282. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 283. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 284. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 285. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

U. The Evidentiary Hearing

- 286. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 287. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 288. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 289. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 290. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 291. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 292. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 293. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 294. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

V. Responding to the Order for an In Camera Review

- 295. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 296. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 297. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 298. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 299. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 300. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 301. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 302. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 303. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 304. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 305. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 306. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 307. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 308. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny

W. Plaintiff's Efforts to Inspect the Evidence and Obtain Third Party Records

- 309. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 310. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 311. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 312. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 313. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 314. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 315. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

- 316. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 317. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 318. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 319. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 320. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 321. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 322. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 323. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 324. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 325. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 326. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 327. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 328. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 329. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 330. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 331. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 332. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 333. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 334. I disagree that ServiceNet records would have shown "daily misconduct by Farak for close to a decade."
- 335. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 336. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 337. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 338. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 339. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

340. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

X. The Denial of Plaintiff's Motion to Dismiss and Allowance of Motions Precluding the Introduction of Farak's Misconduct at Plaintiff's Trial

341. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

342. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

343. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

344. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

345. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

346. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

347. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

348. I disagree

349. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

350. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

351. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

Y. The Withholding of Exculpatory Evidence Regarding Burnham's Criminal Activity

352. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

353. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

354. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

355. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

356. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

357. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

358. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

359. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

360. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

- 361. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 362. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 363. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 364. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 365. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 366. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 367. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 368. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 369. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 370. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 371. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 372. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 373. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 374. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

Z. Plaintiff's Conviction and State Prison Sentence

- 375. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 376. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 377. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 378. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 379. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 380. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

AA. Revelations Regarding the Mental Health Worksheets, Burnham's Criminal Activity and Plaintiff's Post-Conviction Relief

- 381. I agree.

- 382. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 383. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 384. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 385. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 386. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 387. I agree.
- 388. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 389. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 390. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 391. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 392. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 393. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 394. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.
- 395. I agree.
- 396. I agree.
- 397. I lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, thus deny.

COUNT I

- 398. I disagree that every allegation in paragraphs 1 through 397 are true and accurate.
- 399. I disagree with this allegation.
- 400. I disagree with this allegation.
- 401. I disagree with this allegation.
- 402. I disagree with this allegation.
- 403. I disagree with this allegation.
- 404. I disagree with this allegation.
- 405. I disagree with this allegation.
- 406. I disagree with this allegation.
- 407. I disagree with this allegation.
- 408. I disagree with this allegation.

COUNTS II through VII

409 through 461. These counts pertain to the other defendants in this case and not myself, and I have no firsthand knowledge of the validity of these allegations, thus deny.

COUNT VIII

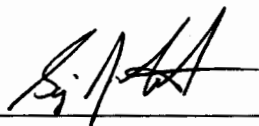
462. I disagree that every allegation in paragraphs 1 through 397 are accurate and correct.

463. I disagree with this allegation.

464. I disagree with this allegation.

The remainder of the Complaint contains Plaintiff's prayer for relief, to which no response is required. To the extent a response is viewed necessary, I deny the allegations in Plaintiff's prayer for relief and deem that the Plaintiff is not entitled to any relief in this action on my part.

Respectfully,



Sonja Farak
P.O. Box 162
62 Main St., Building 6, #2
Hatfield, MA 01038

11-30-17

Date